

Resolution #281 - Open Meeting

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The Town Board Meeting of August 6th 2013 opened at 6:30 p.m.

Motion carried unanimously

Resolution #282 - Adjourn to Executive Session

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The Town Board with the exception of Councilman Tierney adjourned to Executive Session to discuss personnel with Town Attorney Curtiss and Police Chief DiVernieri.

Motion carried unanimously

Resolution #283 - Adjourn Executive Session

On a motion by Supervisor Doherty

Seconded by Councilman Tierney

Resolved: Executive session adjourned at 7:02 p.m..

Motion carried unanimously

Town Attorney Curtiss stated a discussion of personnel issues at highway took place during executive session and the following resolution was made.

Resolution #284 – Hire Roemer Wallens Gold & Mineaux

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: Roemer Wallens Gold & Mineaux is authorized to conduct a personnel investigation regarding the issues at Highway at a cost not to exceed \$3,000.00.

Motion carried unanimously

A Workshop Meeting was held by the Kent Town Board at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York. The board discussed all the items on the Workshop Agenda.

At 8:05 p.m. Supervisor Doherty called the Town Board Meeting to order .

Roll Call

Supervisor Katherine Doherty – present

Councilwoman Penny Osborn – present

Councilman Lou Tartaro – present

Councilman Mike Tierney – not present

Councilman John Greene – present

Resolution #285 - Add Items to the Agenda

On a motion by Supervisor Doherty

Seconded by Councilman Tartaro

Resolved: Municipal Repairs #2 a – d and Release of Erosion Control Bond for Kevin Heis were added to the agenda.

Motion carried unanimously

Resolution #286 - Municipal Repairs – Highway Truck #6 Sweeper

On a motion by Supervisor Doherty

Seconded by Councilpersons Osborn & Greene

Resolved: Municipal Repairs is authorized to repair the tube assembly on Highway Truck #6 a 2006 Ford/Sterling/Sweeper not to exceed \$4,170.11.

Motion carried unanimously

Resolution #287 - Municipal Repairs – Highway Truck #88

On a motion by Supervisor Doherty

Seconded by Councilman Greene

Resolved: Municipal Repairs is authorized to proceed with the repairs for Highway 88 to Jim Williams Welding in the amount of \$8,500, the Town of Kent will supply the material at a cost of \$800.00.

Motion carried unanimously

Resolution #288 – Municipal Repairs – Shop Fan

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The emergency repair to replace the shop fan during the extreme heat wave in the amount of \$5,745.00 performed by Doug Owens was authorized.

Motion carried unanimously

Resolution #289 – Municipal Repairs Undercoat

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The estimate received from Wes' Auto Body to sand, prep, undercoat, seal paint and protect three trucks in the amount of \$14,100.00 was approved.

Motion carried unanimously

Resolution #290– Approval of Vouchers and Claims

On a motion by Supervisor Doherty

Seconded by Councilman Tartaro

Resolved: All vouchers #200125070 - #200125256 and claims submitted by:

1. Beyer-Warnock Fleet	\$28,186.00	Ford Interceptor Sedan
2. Broadview Networks	\$3,652.65	Telephone Bill
3. City Carting	\$5,835.47	Lake Carmel Garbage
	\$5,283.25	
	\$5,391.92	
	\$4,330.91	
4. D.Owens Electric, Inc.	\$5,745.00	Exhaust Fan
5. Empire Municipal Equipment	\$4,170.11	Parts for Sweeper
6. Insite Engineering	\$2,777.00	Lake Carmel Dam
7. Jim Williams Welding	\$3,780.00	Truck #25,29
8. Mondial	\$2,695.00	Goodall Repair
9. O'Connor Davies, LLP	\$8,650.00	Audit
10. Richard Harris	\$4,865.00	IT Service
11. Sprague Operating Resources	\$6,487.80	Gasoline
12. Stroker Trucking	\$5,600.00	Cowbay Sand
13. Town of Kent Municipal Repairs	\$14,932.98	Chargebacks: Highway
	\$4,110.08	Chargebacks: Sanitation
14. Tim Curtiss, Town Attorney	\$14,156.25	July and August 2013
15. NYS Dept. of Civil Service	\$165,027.48	Medical Coverage-August

In the amount of \$330,616.05 may be paid.

The Board took a poll vote as follows:

Councilman Greene – aye Councilwoman Osborn – aye

Councilman Tartaro - aye Supervisor Doherty – aye

Motion carried unanimously

Resolution # 291 – Surety Bond – Route 52 Sewer District

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

WHEREAS, the Town of Kent is currently constructing a sewer collection system along the Route 52 corridor known as the Route 52 Sewer District; and

WHEREAS, the New York State DOT in whose right-of-way we are constructing, said sewer collection system is requiring a performance bond in the amount of \$350,000.00; and

WHEREAS, the Town of Kent wishes to post the \$350,000.00 performance bond with the New York State DOT; and

WHEREAS, Travelers Casualty and Surety Company of America is willing to post the \$350,000.00 performance bond on behalf of the Town of Kent; and

WHEREAS, the Travelers Casualty and Surety Company of America requires execution of a General Contract of Indemnity prior to posting the \$350,000.00 performance bond; and

WHEREAS, the Travelers Casualty and Surety Company of America requires a 1% premium for the performance bond; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute the General Contract of Indemnity in order to secure the \$350,000.00 performance bond and pay one (1%) percent (\$3,500.00) of the performance bond as premium for the performance bond; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute any and all necessary paperwork in order to accomplish this Resolution and to post the \$350,000.00 performance bond

The Board took a poll vote as follows:

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Councilman Greene – aye Councilwoman Osborn – aye
Councilman Tartaro - aye Supervisor Doherty – aye
Motion carried unanimously

Resolution #292 - Support of NYS Senate Bill 5126 Unfunded Mandates

On a motion by Supervisor Doherty
Seconded by Councilwoman Osborn

WHEREAS, the New York State Senate has introduced legislation which would prohibit the State Legislature from continuing to impose unfunded mandates against local political subdivisions; and

WHEREAS, our local Senator has requested that we pass a Resolution in support of such bill which would limit or eliminate unfunded mandates in the future; and

WHEREAS, the bill provides that no qualifying bill shall have a fiscal impact on any political subdivision in excess of \$10,000.00 per year unless the legislation having such impact would require the State to provide a full subvention of funds from the State to reimburse any affected political subdivision or city for the reasonable unnecessary costs thereof; and

WHEREAS, unfunded mandates from the State government have been an increasing fiscal burden on political subdivisions including the Town of Kent; and

WHEREAS, the Town Board of the Town of Kent wishes to support such legislation which would prohibit the continuing passage by the State Legislature of unfunded mandates.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby votes to support Senate Bill 5126 which would prohibit the passage of unfunded mandates by the State Legislature on any political subdivision in excess of \$10,000.00; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign any letter or other request by the Legislature in support of this legislation.

The Board took a poll vote as follows:

Councilman Greene – aye Councilwoman Osborn – aye
Councilman Tartaro - aye Supervisor Doherty – aye
Motion carried unanimously

Resolution # 293 – Release Erosion Control Bond – Heis, AKL Dev. Corp, 21 River Run, TM#44.8-1-1.2

On a motion by Supervisor Doherty
Seconded by Councilman Tartaro

Resolved: Upon the recommendation of Building Inspector Walters the erosion control bond for Kevin Heis, AKL Dev. Corp, 21 River Run, Tax Map #44.8-1-1.2 in the amount of \$14,885.50 may be released.
Motion carried unanimously

Resolution #294 – Adjournment

On a motion by Supervisor Doherty
Seconded by Councilman Tartaro

Resolved: The Town Board Meeting of August 6, 2013 adjourned at 8:20 p.m.
Motion carried unanimously

Respectfully submitted

Yolanda D. Cappelli
Town Clerk